

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

GUY BERNARD MUNSCH II,

Civil No. 05-2797 (DSD/JJG)

Plaintiff,

ORDER

v.

PETER ALBRECHT and
BRUCE KRUGER,

Defendant.

The above-entitled matter came before the Court upon the Report and Recommendation of the United States Magistrate Judge. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. Plaintiff's application to proceed in forma pauperis, (Docket Nos. 2 and 4), is **DENIED**;

2. This action is **SUMMARILY DISMISSED** pursuant to 28 U.S.C. § 1915A(b)(1);

3. Plaintiff is required to pay the unpaid balance of the Court filing fee, namely the full \$250.00, in accordance with 28 U.S.C. § 1915(b)(2); and

4. For purposes of 28 U.S.C. § 1915(g), this action is dismissed "on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted."

Dated: February 28, 2006

s/David S. Doty
DAVID S. DOTY
Judge, U.S. District Court